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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 1st February 1957:—

Issue No.	No. and Date	Issued by	Subject
42	S.R.O. 330, dated the 12th January, 1957.	Ministry of Transport.	The Indian Merchant Shipping (Construction and Survey of Passenger Steamers) Rules, 1956.
	S.R.O. 331, dated the 12th January 1957.	Ditto	The Indian Merchant Shipping (Closing of Openings in Hulls and in Watertight Bulkheads) Rules, 1956.
	S.R.O. 332, dated the 12th January, 1957.	Ditto	The Indian Merchant Shipping (Musters) Rules, 1956.
	S.R.O. 333, dated the 12th January, 1957.	Ditto	The Indian Merchant Shipping (Life Saving Appliances) Rules, 1956.
43	S.R.O. 334, dated the 25th January, 1957.	Ministry of Home Affairs	Appointment of date on which the Young Persons (Harmful Publications) Act, 1956, shall come into force.
44	S.R.O. 335, dated the 25th January, 1957.	Ministry of Information and Broadcasting.	Certification of films to be of the description specified therein.
45	S.R.O. 336, dated the 25th January, 1957.	Ministry of Heavy Industries.	Draft amendments in the forms appended to the Registration and Licensing of Industrial Undertakings Rules, 1952.
46	S.R.O. 337, dated the 25th January, 1957.	Election Commission, India.	Amendments made in the notification No. 56/I/56-2, dated the 12th November, 1956.
47	S.R.O. 338, dated the 25th January, 1957.	Ditto	Amendment made in the notification No. 464/I/56, dated the 19th January, 1957.
48	S.R.O. 339 dated the 28th January, 1957.	Ministry of Home Affairs.	Corrections made in the S.R.O. 2477-A, dated the 29th October, 1956.

Issue No.	No. and date	Issued by	Subject
49	S.R.O. 340, dated the 28th January, 1957.	Election Commission, India.	Amendment made in the notification No. 56/1/56-2, dated the 12th November, 1956.
	S.R.O. 341, dated the 28th January, 1957.	Ditto	The Election Commission specifies that every elector shall affix signature or thumb impression on the identity slip in every polling station in the Union Territory of Delhi.
	S.R.O. 342, dated the 28th January, 1957.	Ditto	The Election Commission specifies that every elector shall affix signature or thumb impression on the identity slip in every polling station specified therein, in the State of Andhra Pradesh.
50	S.R.O. 343, dated the 25th January, 1957.	Ditto	Amendment made in the notification No. 464/2/56, dated the 19th January, 1957.
51	S.R.O. 344, dated the 29th January, 1957.	Ministry of Finance	Exemption of articles specified therein, when imported, from so much of customs duty leviable therein.
52	S.R.O. 345, dated the 31st December, 1956.	Ministry of Works, Housing and Supply.	Draft amendment to the Indian Boiler Regulations, 1950.
53	S.R.O. 406, dated the 28th January, 1957.	Election Commission, India.	Amendment made in the notification No. 434/3/56(1) dated the 8th January, 1957.
54	S.R.O. 407, dated the 1st February, 1957.	Ministry of Commerce and Consumer Industries.	Fixation of the Price of Tea for the purpose of Item 5 in the Second Schedule to the Indian Tariff Act, 1934.
55	S.R.O. 408, dated the 1st February, 1957.	Ministry of Information and Broadcasting.	Certification of films to be of the description specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 4th February 1957

S.R.O. 414.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (11 of 1878), the Central Government hereby exempts

Captain Nils-Gustaf Orn, a national of Sweden, from the operation of the prohibitions and directions contained in section 6 of the said Act in respect of one revolver Smith and Wesson No. 130125 cal. 357 and connected ammunition.

[No. 22/3/57-Police IV.]

C. P. S. MENON, Regulations Officer.

New Delhi-2, the 5th February, 1957

S.R.O. 415.—In pursuance of sub-rule (1), and the first proviso to sub-rule (2) of rule 4 of the Indian Administrative Service (Cadre) Rules, 1954, the Central Government in consultation with the Government of Kerala hereby makes the following amendment in the Indian Administrative Service (Fixation of Cadre Strength) Regulations, 1955, namely :—

In the Schedule to the said Regulations for the entries relating to KERALA, the following shall be substituted, namely :—

1. Senior posts under State Government	33
Chief Secretary to Government	1
Members, Board of Revenue	2
Secretaries to Government	8
Additional Secretaries to Government	2
Joint Secretary to Government	1
Deputy Secretaries to Government	4
Secretary to Governor	1
Collectors	7
Secretary, Board of Revenue	1
Director of Agriculture	1
Director of Industries	1
Director of Transport	1
Registrar of Co-operative Societies	1
Commissioner for Labour	1
Director of Local Bodies	1
	<hr/>
	33
2. Senior posts under Central Government	13
	<hr/>
	46
3. Posts to be filled by promotion and selection in accordance with rule 8 of the Indian Administrative Service (Recruitment) Rules, 1954	11
4. Posts to be filled by direct recruitment	35
5. Deputation Reserve at 15% of 4 above	5
6. Leave Reserve at 11% of 4 above	4
7. Junior posts at 20·60% of 4 above	7
8. Training Reserve at 10·59% of 4 above	4
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Direct Recruitment Posts	55
Promotion posts	11
TOTAL—AUTHORISED STRENGTH	66"

[No. 13/3/57-AIS(III).]

P. PRABHAKAR RAO, Dy. Secy.

MINISTRY OF COMMERCE AND CONSUMER INDUSTRIES

New Delhi, the 31st January 1957

S.R.O. 416.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the

following further amendment in the Notification of the late Ministry of Commerce and Industry No. S.R.O. 1150, dated the 30th May, 1955, namely:—

In the said Notification in Form CST-F-STAPLE for items (4) and (6) the following shall respectively be substituted, namely:—

“4. Staple fibre yarn spun	Upto 10s.	Over 10s—20s	Over 20s—30s	Over 30s—40s	Above 40s.	Total
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Quantity in lbs

6. Staple fibre yarn de- livered.	Upto 10s.	Over 10s—20s	Over 20s—30s	Over 30s—40s	Above 40s.	Total
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Quantity in lbs.”.

[No. 27(1) Tex(C)/57.]

M. S. SADASIVAN, Under Secy.

Office of the Textile Commissioner

Bombay, the 28th January 1957

S.R.O. 417.—In pursuance of sub-clause (i) of clause 3 of the Cotton Textiles (Control of Movement) Order, 1948, I hereby make with effect from the 1st April 1957, the following further amendment in General Permit No. 1 dated the 13th August 1949, contained in the Textile Commissioner's Notification No. 15-Tex. 1/49 dated the 13th August 1949, namely:—

In the said General Permit No. 1, for the Zones specified in paragraph 1, the following shall be substituted, namely:—

- “(1) Andhra Zone comprising the State of Andhra Pradesh.
- “(2) Assam Zone comprising the State of Assam and the Union Territories of Manipur and Tripura.
- “(3) Bihar Zone comprising the State of Bihar.
- “(4) Bombay Zone comprising the State of Bombay.
- “(5) Kerala Zone comprising the State of Kerala.
- “(6) Madhya Pradesh Zone comprising the State of Madhya Pradesh.
- “(7) Madras Zone comprising the State of Madras.
- “(8) Mysore Zone comprising the State of Mysore.
- “(9) Orissa Zone comprising the State of Orissa.
- “(10) Punjab Zone comprising the State of Punjab.
- “(11) Rajasthan Zone comprising the State of Rajasthan.
- “(12) Uttar Pradesh Zone comprising the State of Uttar Pradesh.
- “(13) West Bengal Zone comprising the State of West Bengal.
- “(14) Delhi Zone comprising the Union Territory of Delhi.
- “(15) Himachal Pradesh Zone comprising the Union Territory of Himachal Pradesh.
- “(16) Andaman & Nicobar Islands Zone comprising the Union Territory of Andaman and Nicobar Islands.
- “(17) The Laccadive, Minicoy & Amindivi Islands Zone comprising the Union Territory of the Laccadive, Minicoy & Amindivi Islands”.

(Sd.) V. NANJAPPA,
Textile Commissioner.

[No. 15-Tex.1/49.]

V. V. NENE, Under Secy.

(Indian Standards Institution)

Delhi, the 1st February 1957

S.R.O. 418.—In pursuance of sub-regulations (2) and (3) regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard particulars of which are given in the Schedule hereto annexed, has been established during the period 16 January to 31 January 1957.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard established,	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief particulars
(1)	(2)	(3)	(4)
I	IS : 622-1956 Specification for Russet Leather.	..	This standard prescribes the re- quirements and the methods of test for russet leather used for footwear uppers. (Price Re. 1/-.)

Copies of this Indian Standard are available for sale with the Indian Standards Institution, 19, University Road, Delhi-8.

D. V. KARMARKAR, Dy. Director (Marks).

[No. MDC/11(4).]

T. S. KUNCHITHAPATHAM, Under Secy.

MINISTRY OF HEAVY INDUSTRIES

ORDER

New Delhi, the 5th February 1957

S.R.O. 419.—IDRA/6/5/Am(1).—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) the Central Government hereby appoints Mr. B. J. Woodley, Managing Director, The Indian Cable Company Limited, 9, Hare Street, Calcutta, as a member of the Development Council established by the Order of the Government of India in the Ministry of Heavy Industries No. S.R.O. 410/IDRA/6/5, dated the 1st February, 1957, for the scheduled industries engaged in the manufacture and production of electric motors and of machinery and equipment for the generation, transmission and distribution of electric energy (excluding house service meters and panel instruments), and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order under the category "to represent the interests of owners of industrial undertakings in the said scheduled industries" after entry No. 9 relating to Shri V. G. G. Nayar, the following entry shall be inserted, namely:—

"9A. Mr. B. J. Woodley, Managing Director, The Indian Cable Company Limited, 9, Hare Street, Calcutta."

[No. 5(3)IA(GB)/57.]

S. V. R. CHARI, Under Secy.

MINISTRY OF HEALTH

New Delhi-2, the 18th January, 1957.

S.R.O. 420.—The following draft of a further amendment in the Drugs Rules, 1946, which it is proposed to make after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (23 of 1940), is published as required by the said sections, for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the 31st March, 1957.

2. Any objection or suggestion which may be received from any person, with respect to the said draft, before the date so specified, will be considered by the Central Government.

Draft Amendment

In the said rules, after rule 101, the following rule shall be inserted, namely:—

"101-A. Labelling with licence number and batch number.—(a) Every drug manufactured in, or imported into, India shall bear on its label a distinctive batch number, that is to say, the number by reference to which the prescribed tests and details of manufacture of the particular batch from which the substance in the container is taken are permanently recorded and are available for inspection; the figure representing the batch number being preceded by the words 'Batch Number' or 'Batch No.' or 'Batch', or 'Lot Number' or 'Lot No.' or 'Lot'.

(b) Every drug manufactured in India shall bear on its label the number of the licence under which the drug is manufactured, the figure representing manufacturing licence number being preceded by the words 'Manufacturing Licence Number' or 'Mfg. Lic. No.'

[No. F.1-34/54-LS.]

T. V. ANANTANARAYANAN, Under Secy.

New Delhi, the 4th February, 1957

S.R.O. 421.—In exercise of the powers conferred by sub-section (3) of section 1 of the Slum Areas (Improvement and Clearance) Act, 1956 (96 of 1956), the Central Government hereby appoints the 8th February, 1957, as the date on which the said Act shall come into force in the Union territory of Delhi.

[No. F.8-1/57-L.S.G.]

A. V. VENKATASUBBAN, Dy. Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

PORTS

New Delhi, the 30th January 1957

S.R.O. 422.—In exercise of the powers conferred by section 33 of the Indian Ports Act, 1908 (XV of 1908), and in supersession of the Government of India, late Department of Commerce, Notification No. 19-P(27)/37, dated the 23rd October 1937, as amended in the Government of India, Ministry of Transport, Notification No 13-PI(103)/52-A, dated the 19th January 1953, the Central Government hereby directs that, with effect from the 1st April 1957, port dues shall be levied on each of the vessels entering the Port of Madras and described in column (1) of the Schedule hereto annexed, at the rates specified in the corresponding

entry in column (2), and at the intervals specified in the corresponding entry in column (3) of the said Schedule, namely:—

SCHEDULE

Vessels chargeable (sea-going vessels of 15 tons and upwards)	Rate of port dues per ton	Frequency of payment in respect of the same vessel
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(1)	(2)	(3)
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I. Foreign vessels—

(a) Vessels engaged in trade with the Straits Settlements or Ceylon—

(i) Ships 16 Naye Paise

(ii) Steamers 16 Naye Paise

(b) Other vessels—

(i) Ships 16 Naye Paise

(ii) Steamers 16 Naye Paise

} The payment of the due at the port will exempt the ship or steamer for a period of sixty days from liability to pay the due again.

} The due is payable on each entry into the port.

II. Coasting vessels—

(i) Ships 9 Naye Paise

(ii) Steamers 16 Naye Paise

. The payment of the due at the port will exempt the ship for a period of sixty days from liability to pay the due again.

. The due is payable once in thirty days.

Explanation.—In this Schedule—

(a) "Ship" means a vessel propelled solely by wind power and "Steamer" means any vessel other than a ship.

(b) "Coasting Ship" and "Coasting Steamer" mean, respectively a ship or steamer which at the port of Madras discharges cargo exclusively from or takes in cargo exclusively for, any port on the continent of India or in Burma or in the island of Ceylon; and "Coasting Steamer" includes a coasting steam vessel having a general pass under section 164 of the Sea Customs Act, 1878.

(c) "Foreign Ship" or "Foreign Steamer" means, respectively a ship or steamer not being a coasting ship or coasting steamer.

[No. 13C-PI(7)/57.]

New Delhi, the 1st February 1957

S.R.O. 423.—The following draft of a rule which the Central Government proposes to make in exercise of the powers conferred by clause (k) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), and in supersession of the rule on the subject published with the Government of Madras Notification No. 50 in Fort St. George Gazette dated the 12th September, 1911, is published as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 4th March, 1957.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Rule

With effect from the 1st April, 1957, the following shall be the maximum rates for the hire of boats and catamarans regularly plying for hire in, or partly within and partly without, the Port of Madras:—

SCALE OF PORT
Schedule of maximum rates of

	Hatched barge	Cargo or masulah boat	passengers	Passengers' jolly boat	
	Inside or outside Harbour	Inside Harbour	Outside Harbour	Inside Harbour	Outside Harbour
	(1)	(2)	(3)	(4)	(5)
Rs. N.P.	Rs. N.P.	Rs. N.P.	Rs. N.P.	Rs. N.P.	Rs. N.P.
I. Per trip or in the case of a water -boat per 100 gallons of water supplied . . . . .	..	1—50	2—50	0—25 Per head subject to a maximum charge for a boat of 0—75	0—37 Per head subject to a maximum charge for a boat of 1—12
A jolly boat must ply im- mediately on being en- gaged, but should there be only one passenger a minimum charge of 50 N.P. inside the harbour and of 75 N.P. outside the harbour may be made.					
2. Passengers' baggage per trip (excluding hand baggage which is free)					
(a) Each package weighing not more than 1 cwt. . . . .	..	..	..	0—12	0—25
(b) Each package weigh- ing more than 1 cwt. and not more than 1 $\frac{1}{2}$ cwt. . . . .	..	..	..	0—25	0—50
Anything weighing more than 1 $\frac{1}{2}$ cwt. must be taken in a se- parate cargo boat and paid for as cargo.					
3. Detention charge per hour for the whole boat. . . . .	..	0—50	0—75	0—25	0—37
4. When hired for any special purpose by time (hour per subject to a minimum of the charge for one trip.) . . . . .	..	0—50	0—75	0—25	0—37
5. Per ton of cargo, as a load- ing charge to cover all services between ship and shore	1—00	..	..	..	..

HIRE CHARGES.

boat hire at Madras between 6 A.M. and 6 P.M.

- NOTE.—(1) Trip means from shore, jetty or basin, or anywhere inside the harbour to a vessel or place or vice versa or from one vessel or place to another.
- (2) The charge for a raft does not include the wages of coolies carried on it.
- (3) No raft can be supplied after 5 P.M. for landing or shipping heavy lifts.
- (4) If a raft has been ordered, and not used, full charge will be recovered from the applicant on the weight given.
- (5) All goods are carried on rafts at applicant's or consignee's risk.
- (6) The rates for water boats are for boat-hire only and do not include the cost of the water.
- (7) The maximum rates of hire of boats plying between 6 P.M. and 6 A.M. are 50 per cent. higher than the corresponding rates of hire of boats plying between 6 A.M. and 6 P.M. "Inside Harbour" means inside the main ship entrance to the Harbour.

[No. 13C-PI(7)/57.]

S.R.O. 424.—The following draft of certain amendments to the Harbour Craft Rules for the port of Madras, 1935 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908) is published as required by sub-section (2) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 4th March, 1957.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

For rules 27 and 35 of the said rules, the following rules shall respectively be substituted, namely:—

"27. Fees for survey, registration, licensing, inspection and endorsing change of tindals. The following fees shall be leviable for the survey, registration, licensing, inspection and endorsing change of tindals of harbour craft other than harbour craft propelled by mechanical power:—

	Harbour Craft other than canoes, shoe dhonies and catamarans	Canoes and shoe dhonies plying for hire	Catamarans
	Rs. N.P.	Rs. N.P.	Rs. N.P.
For each survey & measurement as required by the Harbour Craft Rules provided the Harbour craft is found seaworthy	2 00	1 00	.. ..
On each occasion of a harbour craft being found unseaworthy on being inspected or surveyed	1 00	0 50	.. ..
For registration on each of the occasions prescribed by the Harbour Craft Rules	2 00	1 00	1 00
For granting a licence on each of the occasions prescribed by the Harbour Craft Rules	2 00	1 00	1 00
For each annual inspection provided the harbour craft is found seaworthy	2 00	1 00	1 00
For endorsing change of tindal	0 50	0 25	0 25

NOTE.—(1) No fee shall be levied for amending a licence or register.

(2) Half the fee prescribed by this rule shall be levied for the grant of a duplicate licence when it has been proved to the satisfaction of the Registering Officer that there is good and sufficient reason for such grant.

35. Fee for survey of steam or motor vessel.—Every application made to the Registering Officer for a licence for a steam or motor vessel in respect of which a certificate of survey under the Indian Merchant Shipping Act, 1923, (XXI of 1923), or the Inland Steam Vessels Act, 1917 (I of 1917), is not held by the owner or master shall be accompanied by a fee of Rs. 50 for surveying the vessel."

[No. 13-C-PI(7)/57.]

T. S. PARASURAMAN, Dy. Secy.

(Transport Wing)

New Delhi, the 30th January 1957

S.R.O. 425.—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following further amendment in the Calcutta Port Rules, published with the notification of the Government of India in the late War Transport Department, No. 9-P(19)/42, dated the 3rd December, 1943, the same having been previously published as required by sub-section (2) of the said section, namely:—

In the said rules, in rule 79, the following shall be added at the end, namely:—

"Before making such endorsement, the Boat surveyor shall satisfy himself that all charges due to the Commissioners have been paid and if he finds that any such charge is outstanding, he shall refuse to make the endorsement until all the charges have been paid and a full discharge thereof is produced before him".

[No. 9C-PI(96)/56.]

PORTS

New Delhi, the 2nd February 1957

S.R.O. 426.—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby authorise Shri N. D. Daruvala temporary pilot of the Bombay Port Trust, to pilot vessels in the Port of Bombay.

[No. 8-A-PI(9)/57.]

D. A. R. WARRIOR, Under Secy.

(Transport Wing)

PORTS

New Delhi, the 1st February, 1957

S.R.O. 427.—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following further amendment in the Port Rules for the Port of Madras published with the notification of the Government of India in the late Department of Commerce No. 222-P&L/33(VI), dated the 30th September, 1933, as amended by the notification of the Government of India in the Ministry of Railways No. 2101-TC(II), dated the 14th August, 1951, namely:—

for item (iv) of rule 6 of the said Rules, the following shall be substituted, namely:—

"(iv) Mobile Crane—Rs. 6-0-0 per hour or part thereof subject to a minimum charge of Rs. 12. 33-1/3% surcharge will be levied for work done after 6 P.M. and before 6 A.M. on the following day and also for work done on Sundays and declared holidays."

[No. 17-PIII(7)/57.]

New Delhi, the 5th February 1957

S.R.O. 428.—The following draft of certain amendments in the Vizagapatam Port Rules and Scales of Rates, which the Central Government proposes to make in exercise of the powers conferred by clauses (j) and (jj) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published as required by sub-section (2) of section 6 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 16th March, 1957.

2 Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.—

Draft Amendment

After rule 13-A of the Vizagapatam Port Rules the following shall be inserted namely:—

"13 B.—Fees for the use of Port Tugs outside the 3-mile limit but within 150 miles of the outer buoys at the Entrance channel:

(1) For the first six hours or part thereof.—1,000.

(2) For every subsequent three hours or part thereof.—500.

Subject to a maximum of Rs. 3,800 for each period of 24 hours per tug.

Note.—The above charges are exclusive of any charges for insurance of the Tug for marine risks. Such charges will be extra."

[No. 17-PHI(18)/56.]

K. BALAKRISHNAN, Under Secy.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 29th January 1957

S.R.O. 429.—In exercise of the powers conferred by sub-section (2) of section 36 of the Indian Electricity Act, 1910 (9 of 1910), as in force in India and as applied to the State of Pondicherry, the Central Government hereby appoints Shri C. K. V. Rao, Deputy Director, Central Water and Power Commission (Power Wing), to be an Electric Inspector within the Union territories of Himachal Pradesh, Manipur, Tripura, and the Andaman and Nicobar Islands and within the State of Pondicherry.

[No. EL-II-361(1)/56.]

ORDER

S.R.O. 430.—In exercise of the powers conferred by section 55 of the Indian Electricity Act, 1910 (9 of 1910), as in force in India and as applied to the State of Pondicherry, the Central Government hereby authorises the discharge by Shri C. K. V. Rao, Electric Inspector, of the functions of the State Government under section 13, section 18 and sub-section (2) of section 34 of the said Act and sub-clause (2) of clause V, and clause XIII, of the Schedule to the said Act, in the Union Territories of Himachal Pradesh, Manipur, Tripura, and the Andaman and Nicobar Islands and in the State of Pondicherry.

[No. EL-II-361(1)/56.]

T. R. BARKER, Under Secy

MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 30th January 1957

S.R.O. 431.—In exercise of the powers conferred by section 84 of the Indian Railways Act, 1890 (IX of 1890), read with the notification of the Government of India in the late Department of Commerce & Industry, No. 801 dated the 24th March, 1905 the Railway Board hereby makes the following amendment to the

rules published with the notification of the Government of India in the Railway Department (Railway Board), No. 1926-T, dated the 19th March, 1930, namely—

After sub-rule (4) of rule 7 of the said rules, the following sub-rule shall be inserted, namely:—

- (5) Where, having regard to the nature of the accident the Central Government has appointed a Commission of Inquiry to inquire into it under the Commission of Inquiry Act, 1952 (60 of 1952), or has appointed any other authority to inquire into it and for that purpose has made all or any of the provisions of the said Act applicable to that authority, the Government Inspector to whom notice of the accident has been given shall not hold his inquiry, and where he has already commenced his inquiry shall not proceed further with it; and shall hand over the evidence, records or other documents in his possession relating to the inquiry to such authority as may be specified by the Central Government in this behalf.

[No. 57TTV(5)/1.]

D. C. BAIJAL, Secy.

MINISTRY OF COMMUNICATIONS

(Posts & Telegraphs)

New Delhi, the 5th January 1957

S.R.O. 432.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following further amendments in the Indian Telegraph Rules, 1951, namely:—

In the said Rules:—

1. To rule 248, the following proviso shall be added, namely:—

“Provided that, in the case of a photo-telegram cancelled before transmission has begun at the Overseas Communications Service the full charges paid shall be refunded.”

2. To rule 249, the following proviso shall be added, namely:—

“Provided that, in the case of a photo-telegram cancelled at the request of the sender or his duly authorised representative, after the transmission has begun at the Overseas Communications Service, no charge shall be refunded.”

3. For rule 312, the following rule shall be substituted, namely:—

“312. Photo-telegrams shall be accepted at all such Telegraph Offices in India at such rates and conditions and for such places abroad, as may be notified by the Director-General, in the Post and Telegraph Guide. The rates shall be determined on the basis of the area of a Photo-telegram in square centimetres, a fraction of a square centimetre being reckoned as one square centimetre.”

4. After rule 312, the following rule shall be inserted, namely:—

“312-A. The following special services shall be admitted with photo-telegrams for such places abroad as may be notified by the Director-General in the Post and Telegraph Guide, namely:—

1. For delivery to more than one addressee in the same city of destination: TMX (X being the number of addressees);
2. For delivery of additional copies to the same addressee; KX (X being the number of copies in addition to the first.)

The charges for these special services shall be as notified by the Director-General in the Post and Telegraph Guide.”

5. To rule 370, after clause (p), the following clause shall be added, namely:—

“(q) A refund of the full charge paid in the case of a photo-telegram cancelled at the request of the sender or his duly authorised representative, if the cancellation enabled the Telegraph Office to prevent the transmission of the photo-telegram by the Overseas Communications Service, before it has begun.”

[No. R.2-5/56.]

V. M. BHIDE, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 30th January 1957

S.R.O. 433.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri D. P. Tiwari as Assistant Settlement Officer for the purpose of performing the function assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No. F.7/1/57-SII.]

New Delhi, the 31st January 1957

S.R.O. 434/R. Amdt. XIII.—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following amendment in the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

In rule 64 of the said Rules, before the proviso, the following clause shall be inserted, namely:—

“(d) If such person had been allotted land in the area which on and from 1st November, 1958 is comprised in the Union Territory of Himachal Pradesh or Delhi, after surrendering his claim for allotment of land in the territory which formed part of the State of Punjab or Patiala and East Panjab States Union as it existed on 31st October, 1956, he may be allowed to retain the land allotted to him in the said area on condition that if the extent of land in his possession in the said area is in excess of that which should have been allotted to him in the said part, he surrenders such extent in excess.”

[No. I(16)(2)SIII/56.]

S.R.O. 435.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri Rajendra Kumar Jaiswal as Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his post.

[No. F.7/1/57-SII.]

S.R.O. 436.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri M. G. Tosniwal as Settlement Officer for the purpose of performing the functions assigned to such Officer by or under the said Act with effect from the date he took charge of his office.

[No. F.6/3/57-SII.]

S.R.O. 437.—In exercise of the powers conferred by sub-section (I) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri T. C. Dutta as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took charge of his office.

[No. 6/3/57-SII.]

New Delhi, the 2nd February 1957

S.R.O. 438.—In exercise of the powers conferred by sub-section (I) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri H. W. N. Shukla as Assistant Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took charge of his office.

MANMOHAN KISHAN, Under Secy.

MINISTRY OF LABOUR

New Delhi, the 1st February 1957

S.R.O. 439.—In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2971, dated the 4th December, 1956, namely:—

In the Table annexed to the said notification, after item 14, the following item shall be inserted, namely:—

"14A. Conciliation Officer (Central), Hazaribagh The State of Bihar excluding the districts of Singhbhum and Santhal Parganas".

[No. L.R.1(80)/56-I.]

S.R.O. 440.—In pursuance of sub-section (3) of section 22 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 2972, dated the 4th December, 1956, namely:—

In the Table annexed to the said notification, after item 7, the following item shall be inserted, namely:—

"7A. Conciliation Officer The State of Bihar excluding the district (Central), Hazaribagh. of Singhbhum and Santhal Parganas".

[No. L.R.1(80)/56-II.]

New Delhi, the 4th February 1957

S.R.O. 441.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the matter of an application under section 33 A of the said Act from Shri S. Maitra Sanitary Supervisor, Messrs. Indian Copper Corporation Limited, Mosaboni, Bihar.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

APPLICATION No. R-56/57

Shri S. Maitra, Sanitary Supervisor,—Complainant.

Vs.

The General Manager, Messrs Indian Copper Corp. Ltd., Musaboni, Bihar—Opposite Party.

In the matter of an application u/s. 33A of the Industrial Disputes Act, 1947, in respect of an industrial dispute between the above parties.

Dated the 19th January 1957

PRESENT:

Mr. R. K. Basu, Sole Member

APPEARANCES

For the applicant:

Shri P. Sanyal, Advocate

Shri H. Dass, Officer of the
Musabani Labour Union.

For the Opp. Party:

Mr. J. K. Ghosh, Advocate,

Mr. J. L. Armstrong, Advocate,

Mr. N. A. B. Hill, General Manager,
Indian Copper Corp. Ltd.

STATE: Bihar

INDUSTRY: Copper

WARD

This case arises out of an application under section 33A of the Industrial Disputes Act. One Shri S. Maitra, Sanitary Supervisor, in the employ of Messrs Indian Copper Corporation Limited, has filed the application. It is his case that during the pendency of the adjudication proceedings before this tribunal in relation to disputes between the management and the workmen of mosaboni Mines of Indian Copper Corporation Limited, in which the workman, applicant, is also interested, the opposite party, *viz.*, the General Manager of the Indian Copper Corporation Limited, has been guilty of contravention of the provisions of section 33 of the Industrial Disputes Act by serving a warning chit upon the applicant in derogation of his usual service conditions without taking Tribunal's permission. It is alleged that the applicant, Shri Maitra, had been on authorised leave from the 11th to the 14th of December, 1956 (both days inclusive) and that as the 15th December, 1956 was his usual weekly day, off day, he had joined his duties on the 16th December, 1956, on resumption which he was served with a warning chit for over-staying his leave by one day although under the normal rules he was entitled to suffix, as a matter of course, the usual weekly off day, *viz.*, the 15th December, with the leave granted to him. He contends that the warning chit was issued to him as a punitive measure in violation of his service conditions which entitled him to tack the usual weekly off day with the leave he had been granted. The applicant contends that he is, therefore, entitled to such relief as the Tribunal may be pleased to accord to him in that the management served a warning chit upon him in derogation to his service conditions without the necessary permission of the Tribunal.

On behalf of the opposite party it is contended by Shri J. K. Ghosh that the application under section 33A is not maintainable in law or on merits and that as such it is liable to be dismissed.

In the first place it is urged by Shri Ghosh that the application under section 33A is not tenable in law as against the General Manager of the applicant's employers, Messrs. Indian Copper Corporation Limited. It is maintained that no relief can be claimed against the General Manager and that if the workman, applicant, has any grievance he can move the Tribunal not against the General Manager as such but against the Management of the Indian Copper Corporation Limited. Shri Ghosh urges that in these circumstances the application under section 33A having been filed against the General Manager must fail.

There can be no doubt that the applicant has been ill-advised to launch this application under section 33A against the General Manager instead of against the management of Indian Copper Corporation Limited. But this is more or less a technical defect and might be cured at any stage by an amendment. I would not, therefore, lay much stress upon this technical defect if the application is otherwise in order and sustainable on merits in which case I would prefer to give the applicant an opportunity to make suitable amendment of his application.

There is another lacuna in the application under section 33A to which reference has been made by Shri Ghosh. It is stated that the applicant has not prayed for any specific redress that in view of this vagueness the application under section 33A should be ruled out of order as on the application as framed, no operative order can be given by the Tribunal. Shri Sanyal, appearing on behalf of the applicant, contends that there can be no bar to the Tribunal passing an order on the application as framed declaring the warning chit issued against the applicant as improper and illegal being in contravention of the usual service conditions and directing thereupon the management to withdraw it.

In the body of the application it has been definitely stated that the issue of the warning chit is a contravention of usual service conditions of the applicant and the following prayer has been made by the applicant:

"The petitioner, accordingly, prays that the Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper."

Shri Sanyal argues that the prayer though not very specific in terms is comprehensive enough for an award of suitable relief to the applicant in respect of the specific grievance set out in the body of the application.

I accept Shri Sanyal's point of view and hold that there would be no difficulty on the part of the Tribunal to pass an appropriate order if on merits it is convinced that the issue of the warning chit against the applicant is tantamount to a prejudicial alteration of his service conditions. It is, therefore, necessary to go into the merits of the complaint set out in the application under section 33A.

It is applicant's case that under normal rules a workman is entitled to take usual weekly off days both ways with authorised leave granted to him. To support this contention the workman has relied upon a number of entries in the leave register called for from the Indian Copper Corporation Limited to show that this or that workman has been granted only leave for actual working days preceded or succeeded by Sundays without the Sundays being tacked with the leave period or counted as days on leave. Leave register no doubt shows a number of cases in which Sundays just before or after leave actually allowed to workman have not been counted as leave. But the leave register does not disclose that the workman who enjoyed leave just before or after Sundays did not actually report for duties on Sundays or that they were allowed to enjoy those Sundays as actually off days. Accordingly, the leave register relied upon by the workmen cannot be accepted as proof of the fact that it has been the normal rule that workmen of the Indian Copper Corporation Limited are entitled to take as a matter of course usual weekly off days with periods of authorised leave without special sanction.

On the side of the Corporation Shri Ghosh has pointed out several other items from the leave register as well as attendance register of the Corporation where terminal Sundays have been counted as days of leave along with succeeding or preceding days of authorised leave. These instances cited by Shri Ghosh belie the contention of the workman that it is a normal rule or an implied condition of service by right of which the workmen of the Indian Copper Corporation Limited are entitled to take at their discretion, terminal weekly off days with periods of their authorised leave.

Shri Sanyal contends that the instances cited by Shri Ghosh are instances occurring since February, 1956 when, for the first time, the management broke the normal rule enabling the workmen to enjoy usual weekly off days with authorised leave in the case of the workmen of the Corporation's Sanitary Department. Mr. Sanyal maintains that the Corporation broke that normal rule for the first time in February, 1956 illegally and arbitrarily to the prejudice of the workmen during the pendency of a previous adjudication proceeding before a properly constituted Tribunal without taking the necessary permission of that Tribunal and that as such the management cannot legitimately quote the instances of contravention after February, 1956 in refutation of the case set out in the present application.

I do not feel convinced by the argument advanced by Shri Sanyal. Shri Sanyal frankly admits that after February, 1956 there have been instances of off days being counted as part and parcel of authorised leave granted to workmen of the Sanitary Department. But he contends that there has been a departure of the usual rule for the first time in February, 1956. But there is absolutely no manner of suggestion in the body of the present application under consideration that there was violation of the normal rule regarding tacking of usual off days with authorised leave with effect from February, 1956 in the case of the workmen of the Sanitary Department of the Corporation. Apropos it may be mentioned, that the present applicant is a Supervisor of the Sanitary Department. In his case, therefore, the alleged violation in December, 1956 was not the first of its kind but followed other instances of similar violation which started from February, 1956 according to Shri Sanyal's averment in course of his arguments. In the absence of any specific statement in the application itself the alleged violation of the rule in February, 1956 cannot be depended upon. It is not the workman's case, as set out in his application under section 33A, that prior to February, 1956, the workman of the Sanitary Department enjoyed the usual service condition of enjoying at their discretion weekly off days along with periods of authorised leave. In the absence of any such specific case in the application under section 33A the Corporation is not called upon to answer such a case. Consequently, the instances cited by Shri Ghosh from the registers showing terminal off days counted as period of leave stand as a solid refutation of the case sought to be made out by the workmen in the present case.

In these circumstances, it cannot but, be said that the applicant has failed to make out a case for this Tribunal's intervention under section 33A.

In the result the application under section 33A stands dismissed.

No order for costs.

R. K. BASU,
Sole Member.

ORDER

New Delhi, the 31st January 1957

S.R.O. 442.—Whereas the Central Government is of opinion that an Industrial dispute concerning a major port exists or is apprehended between the employers specified in Schedule I hereto annexed and their workmen, regarding the matters specified in Schedule II hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7 and clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with headquarters at Bombay, consisting of a single member, namely, Shri F. Jeejeebhoy, Chairman, Labour Appellate Tribunal, Bombay, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE I

1. The Bombay Dock Labour Board, Janmabhoomi Chambers, Fort Street, Bombay-1.
2. M/s. Kanji Jadhavji & Co., Masjid Bridge, Bombay-9.
3. M/s. Ardeshir B. Curstejee & Sons Ltd., 6, Rampart Row, Fort, Bombay-1.
4. M/s. Darabshaw B. Cursetjee's Sons, Darabshaw House, Ballard Road, Bombay-1.
5. M/s. R. Sharp & Sons Ltd., Kaisar-I-Hind Bldg., Ballard Estate, Bombay-1.
6. M/s. M. Dinsha & Company Ltd., Marshall's Bldg., Ballard Road, Bombay-1.
7. M/s. Hill, Son & Dinshaw Ltd., Marshall's Bldg., Ballard Road, Bombay-1.
8. M/s. M. B. Eduljee Cassinath Sons, 17-19, Bastion Road, Fort, Bombay-1.
9. M/s. Vinsons Imperial Chambers, Wilson Road, Ballard Estate, Bombay-1.
10. M/s. New Dholera Shipping & Trading Co. Ltd., Bombay Mutual Bldg. 293, Hornby Road, Bombay-1.
11. M/s. A. R. Nain & Sons, Gaukukh Bhuwan, Masjid Bridge, Bombay-9.
12. M/s. H. K. Joshi & Co., 46, Hari Bhuvan Popatwadi, Kalbadevi Road, Bombay-1.
13. M/s. Hinshaw C. Cooper & Sons, 11, Bank Street, Fort Bombay-1.
14. M/s. Purshotamdas Madhavani & Co. Ltd., Botawalla Building, Elphinstone Circle, Bombay-1.
15. M/s. R. H. Tookaram Hariba & Sons, 15, Babulnath, Sadguru Sadan, Bombay.
16. M/s. Eastern Bunkerers Ltd., Scindia House, Ballard Estate, Bombay-1.
17. M/s. United India Marine & Trading Co. Ltd., Noor-El-Bahar, Near Fire Bridge, Carnac Bunder, Frere Road, Bombay.
18. M/s. S. C. Cambatta & Co. Ltd., Cambatta Building, Opposite Churchgate Station, Bombay-1.
19. M/s. Bharsey Mulji, House No. 28/30, Jiwanji Maharaj Lane, Bhuleshwar, 3rd Bholvada, Bombay-2.
20. M/s. Ebrahim Moosa Tradapatriwala C/o Union Lighterage, Opp. Princess Docks, Main Gate, Frere Road, Bombay-9.
21. M/s. Robinsons, Imperial Chambers, Ballard Estate, Bombay-1.

SCHEDULE II

1. To what extent are the following demands of the Transport and Dock Workers' Union, Bombay, relating to the implementation of the piece-rate scheme under the Labour Appellate Tribunal's Decision dated the 1st February, 1956 (hereinafter referred to as the Decision) reasonable and practicable.
2. If the acceptance of any demand in a modified form is considered reasonable and practicable, what such modification should be.

- (a) That piece-rate workers should be provided with piece-rate diaries wherein entries should be made showing details of idle time, time-rate work, datum line, double hook work and the number of packages handled and the entries thus made should be duly certified by the tally clerks concerned.
- (b) That the allowance payable to hook gangs, when more than one hook works in a hatch, and which is prescribed in clause 6 of Appendix 'C' of the Decision, should be paid to the workers without any deduction.
- (c) That workers engaged at piece-rates should not be shifted from one hatch to another hatch or from one ship to another ship.
- (d) That for the time lost on account of having to weigh packages, lack of space in transit sheds, lack of gear, etc., the workers should be paid the allowance for idle time.
- (e) That wage slips should be issued to workers at work spots within 24 hours.
- (f) That in order to eliminate short tally, a shore gang should keep a stick tally and the results of the stick tally should be entered by the tally clerk in his tally record.
- (g) That all packages not having their weights stencilled on them should be weighed before the end of the shift by weighment gangs.
- (h) That the packages discharged in a shift should be struck off the 'Alphabetical List of Cargoes' before the completion of the next shift.
- (i) That for the purposes of the directions contained in clause 8 of Appendix 'C' of the Decision relating to the application of datums of output in the case of ships, which have general cargo for discharge, but out of which cargo more than 50% comprises one of the commodities for which a specific datum has been prescribed, time-rated cargoes should also be taken into account.
- (j) That the workers should, within three days after completion of unloading, be made aware of the total number of packages tallied as disclosed in the tally and the number of packages actually manifested.
- (k) That when cotton bales and drum cargo is being discharged, two gangs of Baroots per hook should be employed and 1½ gangs per hook, when paper bales and paper rolls are being discharged, and the Baroots should not be shifted from a shed.
- (l) That 'hook gangs' should not be asked to make room in sheds but that this work should be done by 'making room' gangs.
- (m) That clocks should be installed in the Docks, at convenient places, and that where they do not register accurately workmen should stop work and be paid for the resultant idle time.
- (n) That the weight of individual packages should be entered in the export tally sheets.
- (o) That certificates containing weights of cargoes weighed over the weigh bridges should be shown to the gang workers and encircled in the tally sheet before commencing to load such cargoes.
- (p) That hook scales should be introduced immediately.

[No. L.R.3(63)/56.]

A. L. HANNA, Under Secy.

New Delhi, the 2nd February 1957

S.R.O. 443.—In pursuance of regulation 48 of the Indian Coal Mines Regulations, 1926 and in partial modification of the Notification of the Government of India, Ministry of Labour No. S.R.O. 818, dated the 24th March 1956, the Central Government hereby appoints Shri R. S. V. P. Narenha, I.C.S., Commissioner, Jabalpur Division, Jabalpur, Madhya Pradesh, to hold an enquiry into the conduct of Shri K. S. Mathur and Shri Arunendu Mazumdar, who were employed as manager and surveyor respectively in the Newton Chickli Colliery on the 10th December, 1954, when an accident occurred in that colliery causing loss of

63 lives and directs that in the said Notification, for "Shri B. L. Pandey, I.A.S., Member of the Board of Revenue, Madhya Pradesh, Nagpur, to hold the said enquiry at Nagpur", the following shall be substituted, namely:—

"Shri R. S. V. P. Narenha, I.C.S., Commissioner, Jabalpur Division, to hold the said enquiry at Jabalpur".

[No. M-45(25)/55.]

K. N. NAMBIAR, Dy. Secy.

New Delhi, the 4th February 1957

S.R.O. 444.—Whereas in the opinion of the Central Government there are in force rules applicable to the scheduled employment under the Deputy Conservator, Calcutta Port Commissioners, making equally satisfactory provision for the matter dealt with by sub-rule (2) of rule 25 of the Minimum Wages (Central) Rules, 1950;

And whereas in the opinion of the Central Government, there are in force rules applicable to the staff employed on floating craft like tugs under the Calcutta Port Commissioners, making equally satisfactory provision for the matter dealt with by sub-rule (5) of rule 26 of the Minimum Wages (Central) Rules, 1950;

Now, therefore, it is hereby notified for general information that the said sub-rule (2) of rule 25, and sub-rule (5) of rule 26 shall not apply in relation to the respective scheduled employments specified above.

[No. LWI(I)-3(6)/56.]

New Delhi, the 6th February 1957

S.R.O. 445.—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President hereby entrusts to the State Governments of Madras, Andhra Pradesh and Rajasthan, with their consent, the functions of the Central Government under the Minimum Wages Act, 1948 (11 of 1948), in so far as these functions relate to the review and revision of minimum rates of wages fixed under the said Act for employees employed in mica mines situated within their respective States.

[No. LWI(I)-2(1)/56.]

P. N. SHARMA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 30th January 1957

S.R.O. 446.—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the film entitled "Santa Fe Passage" and its trailer produced by Messrs. Republic Pictures Corporation, U.S.A. shall be deemed to be uncertified films in the whole of India.

[No. 8/22/56-FC.]

V. P. PANDIT, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 31st January 1957

S.R.O. 447.—In exercise of the powers conferred by Section 4 of the Life Insurance Corporation Act 1956 (31 of 1956), the Central Government hereby appoints Shri G. R. Kamat, I.C.S., to be a member of the Life Insurance Corporation.

[No. F.6(2)-INS II/57.]

B. K. KAUL, Jt. Secy.

(Department of Revenue)

(ESTATE DUTY)

New Delhi, the 25th January 1957

S.R.O. 448.—In exercise of the powers conferred by sub-section (3) of section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Government hereby appoints the persons whose names are given in the Appendix as Valuers for a period of three years from the date of this notification:

Provided that any Valuer whose appointment expires by efflux of time shall be eligible for re-appointment if he satisfies the conditions relating to the appointment of Valuers for the time being in force.

The scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below, and no such Valuer shall charge a fee at a scale higher than the scale so fixed.

Scale of Charges

On the first Rs. 50,000 of the property so valued	. . . . .	1/2 per cent of the value.
On the next Rs. 1,00,000 of the property so valued	. . . . .	1/4 per cent of the value.
On the balance of the property so valued	. . . . .	1/8 per cent of the value.

APPENDIX

I. Engineers/Surveyors/Architects.

Serial No.	Name	Address
1. Shri Abdullah, M., B.Sc. (Eng.) A.M.I.E. (India)	Assistant Engineer, Electrical and Mechanical Department, Power House, Kotah, Rajasthan.	
2. Shri Desai, G.G., G.D. Arch., F.I.I.A.	C/O Messrs. Desai and Kirtikar, Architects and Surveyors, 72, Lakshmi Building, Sir P. Mehta Road, Fort, Bombay-I.	
3. Shri Sowani, Y.S., B.E., M.R. San. I.	Consulting Engineer and Contractor, 1678-A, Rankala Road, Kolhapur City.	
4. Shri Subramaniam, P.S., B.E., A.M.I.E.	Director, Messrs. Ganon, Dunkerley and Co. (Madras) Private Ltd., Madras—17.	

II. Accounts

I. Shri Menon, M.C., B.A., F.C.A., A.I.C.W.A.	Chartered Accountant, Ernakulam.
II. Works of Art	
I. Dr. Aiyappan, A., M.A., Ph.D..	Superintendent, Government Museum, Egmore, Madras-8.

IV. Specialists in Agriculture and Farm valuation

I. Shri Arjan Singh, P.C.S. (Retd.)	Maula Manzil, Chowk Palledaran, Ambala Cantt.
2. Shri Ayyar, S.V. Duraiswami, B.A., B.Sc. Ag.	Retired Lecturer in Agricultural Economics, 32, Sirinivasaraghavan Street, P.O. R.S. Puram, Coimbatore.
3. Shri Mahadevan, G., B.Sc. Agri.	Planter and Consulting Agriculturist, No. 44 Pattabirama Pillai Street, Tennur, Tiruchirapalli.
4. Shri Pereira, L.G., M.A., B.L..	Retired District Collector, Convent Road, Trivandrum.
5. Shri Ramanna, Vanapalli, Retd. Tehsildar	Undi Bhunavaram Taluk, West Godavari District, Andhra.
6. Shri Sastry, S.S., B.A., Retd. Tehsildar	Oruganti Garden, Vizianagram, Visakhapatnam District, Andhra.
7. Shri Surat Singh, P.C.S. (Retd.)	733, Church Mission Road, Delhi.
8. Shri Thadani, K.I.M.Sc., M.Ag.	6/16, Shyamnivas, Warden Road, Bombay—26.

(Department of Revenue)

INCOME-TAX

New Delhi, the 1st February 1957

S.R.O. 449.—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government is pleased to appoint Shri M. N. Wagh, as Commissioner of Income-tax from the forenoon of the 22nd day of January, 1957.

[No. 8.]

[No. 55/1/57-IT.]

B. V. MUNDKUR, Under Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 9th February 1957

S.R.O. 450.—In exercise of the powers conferred by section 37 of the Central Excises and Salt Act, 1944 (I of 1944), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Central Excise Rules, 1944, namely:—

In rule 207 of the said Rules, the words “and every such complaint shall be preferred within six months after the commission of the offence to which it refers” shall be omitted.

[No. 13/57.]

S. K. BHATTACHARJEE, Dy. Secy.

CENTRAL BOARD OF REVENUE

ESTATE DUTY

New Delhi, the 30th January 1957

S.R.O. 451.—In exercise of the powers conferred by sub-section (1) of section 85 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby directs that the following further amendments shall be made to the Estate Duty Rules, 1953, S.R.O. 556 of 1954 as amended, last amended by S.R.O. 3121 of 1956, the same having been previously published as required by the said sub-section, namely:—

In the said Rules—

1. After rule 37, the following heading and rule shall be inserted, namely:
- (Section 30)

38. Procedure for claiming relief under Double Taxation (Estate Duty) Avoidance Agreement between India and United Kingdom.

(1) In this Rule—

(a) the expression “Agreement” means the Double Taxation (Estate Duty) Avoidance Agreement concluded between the Government of India and the Government of United Kingdom on the 3rd April, 1956.

(b) “India”, “United Kingdom” and “duty” have the meanings respectively assigned to them in paragraph (1) of Article II of the said Agreement.

(2) An application for allowance of a credit against duty payable, or for a refund of duty paid, in India shall be made to the Secretary, Central Board of Revenue (Estate Duty Wing), New Delhi, in Form ED-11 and shall be accompanied by a Certificate of duty paid in the United Kingdom.

(3) Where the deceased died after the 15th October, 1953, but before the 30th June, 1956, being the date on which the Agreement came into force, and under clause (b) of Article XI of the Agreement the accountable person elects that the provisions of the Agreement shall be applied to the estate of the deceased, he shall make the necessary application in Form ED-12.

(4) No claim for such credit or refund shall be allowed unless it is made within six years from the date of death of the deceased person in respect of whose estate the claim is made, or, in the case of a reversionary interest where payment of duty is deferred until the date on which the interest falls into possession, within six years from that date.

(5) If at any time subsequent to the date on which a credit has been allowed or a refund of duty made in India, further duty becomes payable in India in consequence of any reduction in the amount of duty paid in the United Kingdom, the applicant shall pay such further duty, whether the same is demanded or not; provided that for the purposes of recovery of such further duty, the Controller may at any time take such action as he may deem necessary."

2. After sub-rule (7) of Rule 26, the following shall be added, namely:

"(8) An application for relief under Article VI of the Double Taxation (Estate Duty) Avoidance Agreement between the Government of India and the Government of United Kingdom, shall be in form ED-11.

(9) An application for election under clause (b) of Article XI of the Double Taxation (Estate Duty) Avoidance Agreement between the Government of India and the Government of United Kingdom, shall be in form ED-12."

3. After Form ED-10, the following shall be added, namely:—

"FORM ED-11

GOVERNMENT OF INDIA

ESTATE DUTY

Double Taxation Relief (Estate Duty)—India and Great Britain

Application for certificate of payment of British Duty and for credit against Duty payable in India.

Note.— This form is to be used for claiming

(1) a credit under Article VI(1) in respect of property deemed to be situated outside India; and

(2) a credit under Article VI(2) of the Agreement in respect of property deemed to be situated—

(a) both in India and in Great Britain; or

(b) outside both countries.

Applications for (1) and (2) should however be submitted separately.

B. This form must be prepared in quadruplicate. One copy should be retained by the applicant and three copies must be forwarded for certification to the Estate Duty Office in England or Scotland as the case may be. The Estate Duty Office will retain one copy and will forward two copies duly certified to the Secretary, Central Board of Revenue, Central Secretariat, North Block, New Delhi. The Estate Duty Office will inform the applicant when the certificate has been forwarded to the Central Board of Revenue, New Delhi.

Name of deceased..... Estate Duty Circle.....

Date of death..... G.J.R. No._____

Last address..... *E.D. F. No. _____ /19 .

I/We acting as [state whether legal representative(s), heir(s), trustee(s), donee(s), etc.] declare as follows:

1. that I/We have paid Estate Duty in India and Estate Duty in England/Scotland on the property described overleaf;

2. that the Estate Duty in England/Scotland attributable to that property amounted to £ Sterling, exclusive of interest and penalties;
3. that the said Estate Duty in England/Scotland was paid on [give date and amount of each payment];
4. that the total value of all the property in respect of which Estate Duty has been paid in England/Scotland is £ Sterling;
5. that the total Estate Duty in England/Scotland is £ Sterling;
6. that the amounts of British Duty at 2 and 5 above were computed in accordance with the provisions of the Agreement;
7. that no refund of all or any part of the Estate Duty paid in England/Scotland has been applied for or authorised and that the accountable persons do not, so far as they can foresee, expect to apply for or receive a refund of that duty or any part thereof.

I/We therefore pray that I/We may be granted a certificate of payment of Estate Duty in Great Britain for the purpose of getting a credit against Estate Duty payable in India.

Dated the

19 .

Signature(s).
Address(es).

*File Reference of the Estate Duty Office, England or Scotland.

Item No.	Description of property in respect of which Estate Duty has been paid both in India and in Great Britain [Each item must be listed separately]	Value for duty [£ Sterling]
		[A schedule may be attached if necessary]

CERTIFICATE

(For the use of the Estate Duty Office, England/Scotland)

The information contained in paragraphs 2—6 overleaf, including any attachments, is hereby certified to be correct. No application for a refund of Estate Duty paid in England/Scotland is now pending or authorised. If hereafter a refund is made, notice will be given to the Central Board of Revenue, New Delhi.

Dated 19 .

Authorised Official

I/We pray that on the basis of the above certificate necessary relief may be granted to me/us.

If subsequent to the date of the said certificate a reduction is made in the amount of Estate Duty paid in England or Scotland, as the case may be, I/We undertake to advise the Central Board of Revenue accordingly and to pay any further duty resulting from any reduction in the credit allowed to me/us in the Indian Duty.

Signature(s).

FORM ED-12

Double Taxation Relief (Estate Duty) India and Great Britain Agreement dated the 3rd April, 1958

Application for election under clause (b) of Article XI in cases of death occurring after 15th October, 1953 but before 30th June, 1958

Name of deceased

Estate Duty Circle.

Date of death

G.I.R. No.

Last address

*E.D. F. No.

/10 .

*File reference of the E.D. Office, England or Scotland."

I/We.....acting as [state whether legal representatives, heirs, trustees, donees etc.] ofwho died.....elect under clause (b) of Article XI of the said Agreement that the provisions of the Agreement may be applied to the estate of the above-named deceased.

Date

Signature(s)

Address(es)

[No. 2/18/18/53-E.D.]

P. K. GHOSH, Under Secy.

EXPLANATORY NOTE

[This note is not part of the amendments but is intended to indicate their general purport.]

Section 30 of the Estate Duty Act, 1953, empowers the Central Government to enter into an agreement with the Government of any reciprocating country for the avoidance or relief of double taxation with respect to estate duty leviable under the Estate Duty Act, 1953 (34 of 1953) and under the corresponding law in force in the reciprocating country. In exercise of the powers conferred by this section, the Government concluded an agreement with the Government of the United Kingdom. The said Agreement came into force with effect on and from the 30th June, 1956.

The amendments now made to the Estate Duty Rules, 1953 prescribe the procedure for the granting of relief in respect of property on which estate duty has been paid both in India and in Great Britain, in accordance with the provisions of Article VI of the Agreement.

New Delhi, the 1st February 1957

INCOME-TAX

S.R.O. 452.—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in modification of its notification (No. 87 Income-tax, dated the 27th November, 1956) the Central Board of Revenue hereby directs that :

- (i) Shri V. V. Subramanian a Commissioner of Income-tax shall be designated as Commissioner of Income-tax West Bengal, and perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circles and Districts in the State of West Bengal specified in column 1 of the table annexed hereto :—
- (ii) Shri M.N. Wagh who has been appointed by the Central Government to be a Commissioner of Income-tax shall be designated as Commissioner of Income-tax, Calcutta and perform all the functions of a Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circles and Districts in the State of West Bengal, specified in Column 2 of the table annexed hereto.—

TABLE

West Bengal	Calcutta
1. Companies District I, Calcutta.	1. Companies District II, Calcutta.
2. Companies District III, Calcutta.	2. Companies District IV, Calcutta.
3. Midnapur-Bankura.	3. District III(2), Calcutta.
4. Special Circle I, Calcutta.	4. Special Survey Circle I, Calcutta.
5. Refund Circle, Calcutta.	5. Special Circle II, Calcutta.
6. Howrah.	6. District I(I), Calcutta.
7. 24-Parganas.	7. Non-companies (I.T. Cum E.P.T.) District II, Calcutta.

West Bengal

Calcutta

- | | |
|--|---|
| 8. Burdwan-Birbhum. | 8. District IV(1), Calcutta. |
| 9. Jalpaiguri-Darjeeling. | 9. District IV(3), Calcutta. |
| 10. Special Survey Circle VIII, Calcutta. | 10. Special Survey Circle II, Calcutta. |
| 11. District VI, Calcutta. | 11. Special Survey Circle III, Calcutta. |
| 12. District III(I), Calcutta. | 12. District V, Calcutta. |
| 13. Murshidabad-Nadia. | 13. District I(2), Calcutta. |
| 14. Hoogly. | 14. Special Survey Circle IV, Calcutta. |
| 15. Special Survey Circle VI, Calcutta. | 15. Special Survey Circle X, Calcutta. |
| 16. Special Survey Circle XI, Calcutta. | 16. District VIA, Calcutta. |
| 17. District III-A, Calcutta. | 17. Railways & Miscellaneous Salaries Circle, Calcutta. |
| 18. Central Salaries Circle, Calcutta. | 18. District IV(2), Calcutta. |
| 19. Special Survey Circle VII, Calcutta. | 19. District II(1), Calcutta. |
| 20. Non-Companies (Income-tax <i>cum</i> Excess Profits Tax) District I, Calcutta. | 20. Special Survey Circle V, Calcutta. |
| 21. District II(2), Calcutta. | 21. Special Survey Circle IX, Calcutta. |
| 22. Foreign Section, Calcutta | |
| 23. Cooch-Behar. | |
| 24. West Dinajpur--Malda. | |
| 25. Estate Duty <i>cum</i> Income-tax, Circle, Calcutta. | |
| 26. Estate Duty <i>cum</i> Income-tax Circle (Mofussil), Calcutta. | |
| 27. Estate Duty <i>cum</i> Income-tax Circle, Jalapai-guri. | |

Provided that they shall also perform their functions in respect of such persons or such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority Subordinate to them.

Provided further that they shall not perform functions in respect of such persons or such cases as have been or may be assigned to any Income-tax authority outside their jurisdiction.

This notification shall be deemed to have taken effect from the 22nd day of January 1957.

[No. 9(55/1/57-IT)]

INCOME-TAX

New Delhi, the 4th February 1957

S.R.O. 453.—In pursuance of sub-section (4) of section 6 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue, hereby directs that the following further amendments shall be made in its Notification No. SRO. 1884 (No. 57/50/50/28/56-IT), dated the 20th August, 1956, namely:—

In the Schedule annexed to the said Notification under the sub-head “XI—Simle”—

(i) Against Patiala range, the following entry shall be deleted, namely:

“1. Bhatinda”

and the subsequent entries Nos. 2, 3, 4, 5 and 6 shall be renumbered as entries Nos. 1, 2, 3, 4, and 5 respectively; and

(ii) After entry 4 against Rohtak Range, the following entry shall be added, namely:—

“5. Bhatinda”.

[No. 10/50/3/57-IT.]

B. V. MUNDKUR, Under Secy.

CUSTOMS

New Delhi, the 9th February, 1957

S.R.O. 454.—In exercise of the powers conferred by section 11 of the Sea Customs Act 1878 (8 of 1878) as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue hereby makes the following further amendment in the schedule annexed to its notification No. 27 Customs dated 12th July, 1930 namely:—

In the said schedule, after the existing entries in columns 5 and 6 against wharf No. 2 of the Port of Dhanushkodi, the following entries respectively shall be added namely:—

Wharf No.	Column 5	Column 6
2	Passengers	Embarking and disembarking
[No. 24.]		
S. K. BHATTACHARJEE, Secy.		

